

**TOWN BOARD MEETING**  
WEDNESDAY, FEBRUARY 7, 2007; 7:00 P.M.  
NEW WINDSOR TOWN HALL  
NEW WINDSOR, NEW YORK

**BOARD MEMBERS PRESENT:** Supervisor Green, Councilwoman Mullarkey Councilwoman Weyant, Councilwoman Biasotti

**OTHER OFFICIALS PRESENT:** Comptroller Reis, Deputy Comptroller Finnegan, Deputy Police Chief Hovey, Highway Superintendent Fayó, Town Attorney Blythe, Building Inspector Babcock

Supervisor Green called to order the Town Board Meeting and presided over same.

**#1 On Agenda: MINUTES**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the Minutes of the Town Board Organization Meeting held on January 3, 2007, as per the copies posted on the Town Clerk’s bulletin board in the Town Hall and same distributed to each of the Town Board members.

*Roll Call: All Ayes* *Motion Carried: 4-0*

**UNFINISHED BUSINESS**

**HIGHWAY DEPARTMENT**

**#2 ON AGENDA: MOTION – AUTHORIZE EXECUTION OF AGREEMENT –  
NYS DOT – 2006/2007 LEGISLATIVE INITIATIVE**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution:

**WHEREAS,** New York State has awarded the Town of New Windsor Highway Department a State Fiscal Year 2006/2007 Legislative Initiative, in the total amount of \$65,000.00 to purchase a used bucket truck; and

**WHEREAS,** certain procedures are required which include the execution of an agreement to provide for the reimbursement of expenses;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor authorize the Town Supervisor to enter into and execute an agreement and all related documents with the New York State Department of Transportation for the State Fiscal Year 2006/2007 Legislative Initiative in the total amount of \$65,000.00 for the purchase of a used bucket truck.

*Roll Call: All Ayes* *Motion Carried: 4-0*

**#3 ON AGENDA: MOTION – AUTHORIZE APPROPRIATION OF HIGHWAY  
FUND BALANCE**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the appropriation of the fund balance in the Highway Fund in accordance with the following schedule:

To:	Gasoline Purchases	\$158,078
	Blacktop & Gravel	<u>66,550</u>
	Total	\$224,628
From:	Fund balance as budgeted in 2006	\$224,628

*Roll Call: All Ayes* *Motion Carried: 4-0*

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**WATER DEPARTMENT**

**#4 ON AGENDA:        MOTION – AUTHORIZATION TO ADVERTISE FOR SEALED BIDS –  
 UNION AVENUE PUMP STATION REHABILITATION PROJECT**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for sealed bids for the Union Avenue Pumping Station Rehabilitation Project, pursuant to plans prepared by the Town Engineer; which plans will be available for inspection in the Town Clerk's office on February 22, 2007. Bids to be received and publicly opened at 10:00 a.m. in the Town Clerk's office in Town Hall, 555 Union Avenue, New Windsor, New York on Tuesday, the 20th day of March, 2007. The Town Board of the Town of New Windsor reserves the right to reject any or all bids.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**SANITATION DEPARTMENT**

**#5 ON AGENDA:        RECEIVE AND FILE EASEMENT – ANTONELLI, QUICK CHECK  
 CORPORATION AND TOWN OF NEW WINDSOR**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an original non-exclusive easement for public sewer, temporary construction easement and termination of existing sewer easement between Frank P. Antonelli, Sr., John R. Antonelli, Louis J. Antonelli, Kathleen Antonelli, Quick Check Corporation and Town of New Windsor, dated April 28, 2006 and recorded in the Orange County Clerk's Office on the 5th day of October, 2006 as File #20060108537.

**GENERAL**

**#6 ON AGENDA:        MOTION – ADOPT 2007 STANDARD SCHEDULE OF FEES**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the Standard Schedule Of Fees for 2007 as attached.

**IN ORDER** to provide for a consolidated schedule of fees and to allow for annual review and modification of fees involving the administration of town ordinances and regulations, the Town Board deems it in the public interest to establish the Standard Schedules of Fees for the Town of New Windsor for the year 2007.

The fees as adopted may be viewed in the Town Clerk's office during normal business hours.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#7 ON AGENDA:        MOTION – APPOINT ASSISTANT TOWN ATTORNEY**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint John H. McDonald, 276 Temple Hill Road, Unit 1120, New Windsor, New York 12553 to the position of Assistant Town Attorney.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#8 ON AGENDA:        MOTION – AUTHORIZE CALLING A PUBLIC HEARING –  
 AMENDMENT TO ZONING LOCAL LAW - SENIOR HOUSING**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor hereby calls a Public Hearing to be held on April 4, 2007 at 555 Union Avenue, New Windsor, New York at 7:00 p.m. for a proposed local law to amend the Zoning Local Law and the Use/Bulk Tables regarding senior citizens and affordable senior housing within the boundaries of the Town of New Windsor.

*Roll Call: All Ayes*

*Motion Carried 4-0*

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**#9 ON AGENDA:        MOTION – AUTHORIZE APPROPRIATION OF EXCESS REVENUES**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the appropriation of excess revenues in the 2006 General Fund, the 2006 Garbage Fund and the 2006 Fire Fund in accordance with the following schedule:

**GENERAL FUND**

To:	Certioraris	\$103,000.00
	Judgments & Claims	107,000.00
	Police Salary	416,199.00
	Police Equipment & Uniforms	14,844.00
	Animal Control	1,047.00
	Highway Garage Oil Spill	422,757.00
	Fuel Oil Purchases	3,227.00
	Street Lighting	31,041.00
	Parks	391,648.00
	Playgrounds	166,208.00
	Youth Programs	203,425.00
	Adult Programs	29,075.00
	Planning Board Engineer	85,264.00
	Hospitalization	<u>154,959.00</u>
	<b>Total</b>	<b>\$ 2,129,694.00</b>
From:	Sales Tax	\$700,000.00
	Franchise Fees	150,000.00
	Engineer	300,000.00
	Insurance Recoveries	80,000.00
	Mortgage Tax	400,000.00
	Interfund Transfer	<u>499,694.00</u>
	<b>Total</b>	<b>\$ 2,129,694.00</b>

**GARBAGE FUND**

To:	Dumping Costs	\$7,800.00
From:	Sales, Recycling	\$7,800.00

**FIRE FUND**

To:	Salisbury Mills Fire Expenditures	\$191.04
From:	Salisbury Mills Fire Revenue	\$191.04

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#10 ON AGENDA:        MOTION – AUTHORIZE SIGNING OF CERTIFICATE  
OF INSURANCE**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the signing of the Certificate of Insurance for a period from December 24, 2006 to December 24, 2007, Public Employees Dishonesty Bond #B198747 with reference to the Receiver of Taxes.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#11 ON AGENDA:        MOTION – AUTHORIZE CHANGE ORDER #1 – LONGINOTT  
& SONS – MT. AIRY PARK SPORTS COMPLEX PAVILION**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute change order #1 in the sum of \$793.00 submitted by Longinott & Sons for an additional ice and water shield and ridge vent for the pavilion at Mt. Airy Sports Complex.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

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**#12 ON AGENDA:**      **MOTION – AUTHORIZE SOLICITOR’S PERMIT –  
NICHOLAS D. MINUTOLO**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the issuance of a veteran’s solicitors permit submitted by Nicholas D. Minutolo, 23 Coach House Court, New Windsor, New York 12553, to sell hot dogs, chips and beverages on the premises of William F. Helmer’s property located on Route 207 (section 4, block 3, lot 17.6). Permit shall be obtained from the Town Clerk’s Office; permit fee shall be waived.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#13 ON AGENDA:**      **MOTION - ADOPT 2007 BEAVER DAM GARBAGE RATE**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor set the Beaver Dam Garbage rate for 2007 at \$360.00 per year (\$90.00 per quarter).

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#14 ON AGENDA:**      **RECEIVE AND FILE CONTINUATION CERTIFICATE FOR  
PERMIT BOND - VALLEY CONTRACTING INC.**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate issued by Western Surety Company, continuing in force Permit Bond No. 43161371 submitted by Valley Contracting, Inc., Newburgh, New York, in the amount of \$20,000.00. The Continuation Certificate is effective February 15, 2007, expiring February 15, 2008 and the purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town. Same being referred to the Town Attorney and Highway Superintendent.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#15 ON AGENDA:**      **RECEIVE AND FILE APPLICATION FOR REAL PROPERTY  
TAX EXEMPTION AND PILOT AGREEMENT –  
AIRPORT PROPERTIES II, LLC**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk an application for real property tax exemption and PILOT agreement for Airport Properties II, LLC.

**#16 ON AGENDA:**      **RECEIVE AND FILE RESULTS OF CANVASS OF BALLOTS –  
VAILS GATE FIRE DISTRICT ANNUAL ELECTION**

Hearing no objections, the Town Board of the Town of New Windsor receive and file a Certificate of Results of the canvass of ballots cast for Fire Commissioners at the annual election of the Vails Gate Fire District held on December 12, 2006.

**#17 ON AGENDA:**      **RECEIVE AND FILE LETTER OF CREDIT #2156 –  
MOORES HILL ESTATES SUBDIVISION**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Letter of Credit # 2156 for Moores Hill Estates Major Subdivision a/k/a Cobble Creek, (Planning Board #98-4), dated December 29, 2006, reducing the original performance bond from \$275,000.00 to \$47,334.00 as authorized by the Town Board on November 1, 2006.

**#18 ON AGENDA:**      **RECEIVE AND FILE LETTER OF CREDIT #2066 –  
VANTAGE SUBDIVISION**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Letter of Credit # 2066 for Vantage Major Subdivision a/k/a Coach House Court a/k/a Meadow Ridge Subdivision, (Planning Board #01- 55), dated January 17, 2007 reducing original performance bond from \$571,150.00 to \$34,700.00 as authorized by the Town Board on January 3, 2007.

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**#19 ON AGENDA:      RECEIVE AND FILE NOTICE OF RETIREMENT –**  
**POLICE OFFICER BRETT CUNNINGHAM**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk, a letter of retirement from Town of New Windsor Police Officer Brett W. Cunningham, effective February 28, 2007.

**#20 ON AGENDA:      OFFICIALS REPORTS**

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of December 2006
Police Department	Month of December 2006
Building Department	Month of January 2007
Fire Inspector	Month of January 2007
Justice Suttlehan	Month of January 2007
Justice Thorpe	Month of January 2007
Receiver of Taxes (monthly tax statement)	Month of January 2007
Receiver of Taxes (utility statement)	Month of January 2007
Recreation Department	Month of January 2007
Town Clerk	Month of January 2007

**#21 ON AGENDA:      PUBLIC FORUM**

Supervisor Green, “Before I open it up to the public, are there any comments from the board? Okay, we will now open under public forum.”

Rebecca Jones asked why the Town was appointing an assistant Town attorney and what his salary is going to be. Supervisor Green said the salary is what his salary is as the Chief Information Technology Officer which is \$85,000, he is a full time employee and he will split his time between the IT Department and the Town Attorney’s office. Supervisor Green said that the Town is going to stop sending out legal work to outside law firms and will be doing as much as possible in-house because outside legal fees are costing the Town a fortune.

Viola Cavicchio and her neighbor Vanessa Palmer said that trucks speed up and down the road (Route 94) in front of their houses at all hours of the day and night and their houses literally shake because they are going so fast and asked why can nothing be done to slow them down. Viola said that she has written to the Town Board about it already. Supervisor Green said that Route 94 is a state road, not a town owned road. He has sent a letter to the Poughkeepsie office of the DOT and he has spoken to the assistant director for the region about this issue. He has not had a response from them so far but said he will call them again. He also referred the speeding matter to Deputy Chief Hovey.

Leo Braun said he sent a copy of a letter from the Times Herald Record about Cornwall proposing to adopt an ordinance about prohibiting phone book solicitation and has the Supervisor had a chance to look at it yet. Supervisor Green said that he hasn’t had a chance but he will look at it.

Mary DeCunzo asked about the cable contract that the Town has with Time Warner and does the Town get to review the contract or have any say on the rates. Supervisor Green said that the rates are regulated by the New York State Public Service Commission, not the Town.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilwoman Biasotti, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

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**#22 ON AGENDA:      ADJOURN**

Motion by Councilwoman Biasotti, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:45 p. m.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc